IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY SIXTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE Dr. JUSTICE G.YETHIRAJULU

WRIT PETITION No. 13311 of 2004

Between:

A. Sairam, S/o Satyanarayana,
Office at Addateegala Village and Mandal, E.G. Disrict.

..... PETITIONER

AND

1 The District Cooperative Officer, E.G. Dikstrict at Kakinada.
2 The Divisional Coop. Officer, Peddapuram, E.G. District.
3 The Yellavaram PACS, Office at Addateegala Village and Mandal,
East Godavari District, rep. by its Chairman/PIC.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the impugned action of the 3rd respondent in passing impugned Resolution dated 23-7-2004 (Resolution No.6) keeping the clerk of the society as incharge Secretary while the petitioner has been working in the post of Secretary on regular basis from 11-12-1993 onwards is highly illegal, arbitrary and violative of Art. 14 of the Constitution of India apart from contrary to the service regulations issued by the Registrar of Cooperative Societies and also without jurisdiction and consequently set aside the same.

Counsel for the Petitioner: MR.G.V.SHIVAJI

Counsel for the Respondent Nos.1 and 2: GP FOR COOPERATION

The Court made the following:

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ORDER:

The petitioner is working as an Executive Officer in the 3rd respondent Society. The Petitioner approached this Court, questioning the resolution, passed by the Managing Committee of the 3rd respondent Society dated 23.07.2004, proposing to appoint a Clerk to maintain the records of the Society and to discharge the functions of the Chief Executive Officer.

2. The petitioner is not served with any notice, either demoting him or any kind of action, causing prejudice to him. The petitioner cannot agitate without infringement of any of his rights to continue to work in the same capacity, in which he is presently working. The petitioner is at liberty to approach this Court, if any further order is passed, in pursuance of the resolution of the Managing Committee of the 3rd respondent Society.

3. The Writ Petition is, accordingly, disposed of.

dsr/rns

ASSISTANT REGISTRAR

// TRUE COPY //

SECTION OFFICER

To:

1. The District Cooperative Officer,

East Godavari District at Kakinada

2. The Divisional Cooperative Officer,

Peddapuram , East Godavari District

3. The Chairman/Person in-charge,

The Yellavarm PACS, Office at Addateegala village

and Mandal, East Godavari District.

4. Two CCs to the Government Pleader for Cooperation,

High Court Buildings, Hyderabad (OUT)

5. Two CD copies.